reef fish to release the fish with minimum damage. This tool must be a sharpened, hollow instrument, such as a hypodermic syringe with the plunger removed, or a 16-gauge needle fixed to a hollow wooden dowel. A tool such as a knife or an ice-pick may not be used. The venting tool must be inserted into the fish at a 45-degree angle approximately 1 to 2 inches (2.54 to 5.08 cm) from the base of the pectoral fin. The tool must be inserted just deep enough to release the gases, so that the fish may be released with minimum damage.

- (n) Required gear in the South Atlantic snapper-grouper fishery. For a person on board a vessel to harvest or possess South Atlantic snapper-grouper in or from the South Atlantic EEZ, the vessel must possess on board and such person must use the gear as specified in paragraphs (n)(1) and (n)(2) of this section.
- (1) Dehooking device. At least one dehooking device is required and must be used as needed to remove hooks embedded in South Atlantic snappergrouper with minimum damage. The hook removal device must be constructed to allow the hook to be secured and the barb shielded without reengaging during the removal process. The dehooking end must be blunt, and all edges rounded. The device must be of a size appropriate to secure the range of hook sizes and styles used in the South Atlantic snapper-grouper fishery.
- (2) Non-stainless steel circle hooks. Non-stainless steel circle hooks are required to be used when fishing with hook-and-line gear and natural baits north of 28° N. lat.

# [61 FR 34934, July 3, 1996]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting  $\S 622.41$ , see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

## §622.42 Quotas.

Quotas apply for the fishing year for each species or species group, unless accountability measures are implemented during the fishing year pursuant to §622.49, due to a quota overage occurring the previous year, in which case a reduced quota will be specified

through notification in the FEDERAL REGISTER. Annual quota increases are contingent on the total allowable catch for the applicable species not being exceeded in the previous fishing year. If the total allowable catch is exceeded in the previous fishing year, the RA will file a notification with the Office of the Federal Register to maintain the quota for the applicable species from the previous fishing year for following fishing years, unless the best scientific information available determines maintaining the quota from the previous year is unnecessary. Except for the quotas for Gulf and South Atlantic coral, the quotas include species harvested from state waters adjoining the EEZ. Quotas for species managed under this part are as follows. (See §622.32 for limitations on taking prohibited and limited-harvest species. The limitations in §622.32 apply without regard to whether the species is harvested by a vessel operating under a commercial vessel permit or by a person subject to the bag limits.)

- (a) Gulf reef fish—(1) Commercial quotas. The following quotas apply to persons who fish under commercial vessel permits for Gulf reef fish, as required under §622.4(a)(2)(v).
- (i) Red snapper. (A) For fishing year 2012—4.121 million lb (1.869 million kg), round weight.
- (B) For fishing year 2013—4.432 million lb (2.010 million kg), round weight.
- (ii) Deep-water groupers (DWG) have a combined quota, as specified in paragraphs (a)(1)(ii)(A) through (E) of this section. These quotas are specified in gutted weight, that is eviscerated, but otherwise whole.
- (A) For fishing year 2012—1.127 million lb (0.511 million kg).
- (B) For fishing year 2013—1.118 million lb (0.507 million kg).
- (C) For fishing year 2014—1.110 million lb (0.503 million kg).
- (D) For fishing year 2015—1.101 million lb (0.499 million kg).
- (E) For fishing year 2016 and subsequent fishing years—1.024 million lb (0.464 million kg).
- (iii) Shallow-water groupers (SWG) have separate quotas for gag and red grouper and a combined quota for other shallow-water grouper (Other SWG) species (including black grouper,

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scamp, yellowfin grouper, and yellowmouth grouper), as specified in paragraphs (a)(1)(iii)(A) through (C) of this section. These quotas are specified in gutted weight, that is, eviscerated but otherwise whole.

- (A) Other SWG combined. (1) For fishing year 2012—509,000 lb (230,879 kg).
- (2) For fishing year 2013—518,000 lb (234,961 kg).
- (3) For fishing year 2014—523,000 lb (237,229 kg).
- (4) For fishing year 2015 and subsequent fishing years—525,000 lb (238,136 kg).
- (B) Gag. (1) For fishing year 2012—0.567 million lb (0.257 million kg).
- (2) For fishing year 2013—0.708 million lb (0.321 million kg).
- (3) For fishing year 2014—0.835 million lb (0.378 million kg).
- (4) For fishing year 2015 and subsequent fishing years—0.939 million lb (0.426 million kg).
- (C) Red grouper. (1) For fishing year 2011—5.23 million lb (2.82 million kg).
- (2) For fishing year 2012—5.37 million lb (2.37 million kg).
- (3) For fishing year 2013—5.53 million lb (2.44 million kg).
- (4) For fishing year 2014—5.63 million lb (2.51 million kg).
- (5) For fishing year 2015 and subsequent fishing years—5.72 million lb (2.59 million kg).
- (iv) Tilefishes (including goldface tilefish, blueline tilefish, and tilefish)—582,000 lb (263,991 kg), gutted weight, that is, eviscerated but otherwise whole.
- (v) Greater amberjack—503,000 lb (228,157 kg), round weight.
- (vi) Gray triggerfish—106,000 lb (48,081 kg), round weight.
- (vii) Gray triggerfish—60,900 lb (27,624 kg), round weight.
- (2) Recreational quotas. The following quotas apply to persons who fish for Gulf reef fish other than under commercial vessel permits for Gulf reef fish and the applicable commercial quotas specified in paragraph (a)(1) of this section.
- (i) Recreational quota for red snapper. (A) For fishing year 2012, the recreational quota for red snapper is 3.959 million lb (1.796 million kg), round weight.

- (B) For fishing year 2013, the recreational quota for red snapper is 4.258 million lb (1.931 million kg), round weight.
- (ii) Recreational quota for greater amberjack. The recreational quota for greater amberjack is 1,368,000 lb (620,514 kg), round weight.
  - (b) [Reserved]
- (c) Coastal migratory pelagic fish. King and Spanish mackerel quotas apply to persons who fish under commercial vessel permits for king or Spanish mackerel, as required under §622.4(a)(2)(iii) or (iv). Cobia quotas apply to persons who fish for cobia and sell their catch. A fish is counted against the quota for the area where it is caught.
- (1) Migratory groups of king mackerel—(i) Gulf migratory group. For the 2012 to 2013 fishing year, the quota for the Gulf migratory group of king mackerel is 3.808 million lb (1.728 million kg). For the 2013 to 2014 fishing year and subsequent fishing years, the quota for the Gulf migratory group of king mackerel is 3.456 million lb (1.568 million kg). The Gulf migratory group is divided into eastern and western zones separated by 87°31.1′ W. long., which is a line directly south from the Alabama/Florida boundary. Quotas for the eastern and western zones are as follows:
- (A) Eastern zone. The eastern zone is divided into subzones with quotas as follows:
- (1) Florida east coast subzone. For the 2012 to 2013 fishing year, the quota is 1,215,228 lb (551,218 kg). For the 2013 to 2014 fishing year and subsequent fishing years, the quota is 1,102,896 lb (500,265 kg).
- (2) Florida west coast subzone. (i) Southern. For the 2012 to 2013 fishing year, the quota is 1,215,228, (515,218 kg). For the 2013 to 2014 fishing year and subsequent fishing years, the quota is 1,102,896 lb (500,265 kg), which is further divided into a quota for vessels fishing with hook-and-line and a quota for vessels fishing with run-around gillnets. For the 2012 to 2013 fishing year, the hook-and-line quota is 607,614 lb (275,609 kg) and the run-around gillnet quota is 607,614 lb (275,609 kg). For the 2013 to 2014 fishing year and subsequent fishing years, the hook-and-line quota is 551,448 lb (250,133 kg) and the run-

around gillnet quota is 551,448 lb (250,133 kg).

- (ii) Northern. For the 2012 to 2013 fishing year, the quota is 197,064 lb (89,387 kg). For the 2013 to 2014 fishing year and subsequent fishing years, the quota is 178,848 lb (81,124 kg).
- (3) Description of Florida subzones. From November 1 through March 31, the Florida east coast subzone is that part of the eastern zone south of 29°25' N. lat. (a line directly east from the Flagler/Volusia County, FL, boundary) and north of 25°20.4' N. lat. (a line directly east from the Miami-Dade/Monroe County, FL, boundary). From April 1 through October 31, the Florida east coast subzone is no longer part of the Gulf migratory group king mackerel area; it is part of the Atlantic migratory group king mackerel area. The Florida west coast subzone is that part of the eastern zone south and west of 25°20.4′ N. lat. The Florida west coast subzone is further divided into southern and northern subzones. From November 1 through March 31, the southern subzone is that part of the Florida west coast subzone that extends south and west from 25°20.4′ N. lat., north to 26°19.8′ N. lat. (a line directly west from the Lee/Collier County, FL, boundary). From April 1 through October 31, the southern subzone is that part of the Florida west coast subzone that is between 26°19.8′ N. lat. and 25°48′ N. lat. (a line directly west from the Monroe/Collier County, FL, boundary). The northern subzone is that part of the Florida west coast subzone that is between 26°19.8′ N. lat. north and west to 87°31.1′ W. long. (a line directly south from the Alabama/Florida boundary) year round.
- (B) Western zone. For the 2012 to 2013 fishing year, the quota is 1,180,480 lb (535,457 kg). For the 2013 to 2014 fishing year and subsequent fishing years, the quota is 1,071,360 lb (485,961 kg).
- (ii) Atlantic migratory group. The quota for the Atlantic migratory group of king mackerel is 3.88 million lb (1.76 million kg). No more than 0.40 million lb (0.18 million kg) may be harvested by purse seines.
- (2) Migratory groups of Spanish mackerel—(i) Gulf migratory group. [Reserved]
- (ii) Atlantic migratory group. The quota for the Atlantic migratory group

- of Spanish mackerel is 3.13 million lb (1.42 million kg).
- (3) Migratory groups of cobia—(i) Gulf migratory group. [Reserved]
- (ii) Atlantic migratory group. The quota for the Atlantic migratory group of cobia is 125,712 lb (57,022 kg).
- (d) Royal red shrimp in the Gulf. The quota for all persons who harvest royal red shrimp in the Gulf is 392,000 lb (177.8 mt), tail weight.
- (e) South Atlantic snapper-grouper, excluding wreckfish. The quotas apply to persons who are not subject to the bag limits. (See §622.39(a)(1) for applicability of the bag limits.) The quotas are in gutted weight, that is, eviscerated but otherwise whole.
- (1) Snowy grouper—82,900 lb (37,603 kg).
- (2) Golden tilefish—282,819 lb (128,284 kg).
- (3) Greater amberjack—769,388 lb (348,989 kg).
- (4) Vermilion snapper. (i) For the period January through June each year—315,523 lb (143,119 kg).
- (ii) For the period July through December each year—302,523 lb (137,222 kg).
- (iii) Any unused portion of the quota specified in paragraph (e)(4)(i) of this section will be added to the quota specified in paragraph (e)(4)(ii) of this section. Any unused portion of the quota specified in paragraph (e)(4)(ii) of this section, including any addition of quota specified in paragraph (e)(4)(i) of this section that was unused, will become void and will not be added to any subsequent quota.
- (5) Black sea bass—309,000 lb (140,160 kg), gutted weight; 364,620 lb (165,389 kg), round weight.
  - (6) Red porgy—190,050 lb (86,205 kg).
  - (7) Gag—352,940 lb (160,091 kg).
- (f) Wreckfish. The quota for wreckfish applies to wreckfish shareholders, or their employees, contractors, or agents, and is 223,250 lb (101,264 kg), round weight. See § 622.15 for information on the wreckfish shareholder under the ITQ system.
- (g) Pelagic sargassum. The quota for all persons who harvest pelagic sargassum in the South Atlantic EEZ is 5,000 lb (2,268 kg), wet, landed weight.

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See §622.35(g)(1) for area limitations on the harvest of pelagic sargassum.

[61 FR 34934, July 3, 1996]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §622.42, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

EFFECTIVE DATE NOTE: At 77 FR 28310, May 14, 2012, \$622.42(a)(1)(vi) was suspended and (a)(1)(vii) was added, effective May 14, 2012, through Nov. 10, 2012.

#### § 622.43 Closures.

- (a) Quota closures. When a quota specified in §622.42 is reached, or is projected to be reached, the Assistant Administrator will file a notification to that effect with the Office of the Federal Register. On and after the effective date of such notification, for the remainder of the fishing year, the following closure restrictions apply (See §622.49 for closure provisions when an ACL is reached or projected to be reached):
- (1) Gulf reef fish—(i) Commercial quotas. The application of bag limits described in this paragraph (a)(1)(i) notwithstanding, bag limits of Gulf reef fish may not be possessed on board a vessel with commercial quantities of Gulf reef fish, i.e., Gulf reef fish in excess of applicable bag/possession limits, on board, as specified in §622.39(a)(5).
- (A) If the recreational fishery for the indicated species is open, the bag and possession limits specified in §622.39(b) apply to all harvest or possession in or from the Gulf EEZ of the indicated species, and the sale or purchase of the indicated species taken from the Gulf EEZ is prohibited. In addition, the bag and possession limits for red snapper, when applicable, apply on board a vessel for which a commercial permit for Gulf reef fish has been issued, as required under §622.4(a)(2)(v), without regard to where such red snapper were harvested.
- (B) If the recreational fishery for the indicated species is closed, all harvest or possession in or from the Gulf EEZ of the indicated species is prohibited.
- (ii) Recreational quota for red snapper. The bag and possession limit for red snapper in or from the Gulf EEZ is zero.

- (iii) Recreational quota for greater amberjack. The bag and possession limit for greater amberjack in or from the Gulf EEZ is zero.
- (2) South Atlantic allowable octocoral. Allowable octocoral may not be harvested or possessed in the South Atlantic EEZ and the sale or purchase of allowable octocoral in or from the South Atlantic EEZ is prohibited.
- (3) Coastal migratory pelagic fish. (i) A person aboard a vessel for which a commercial permit for king or Spanish mackerel has been issued, as required under §622.4(a)(2)(iii) or (iv), may not fish for king or Spanish mackerel in the EEZ or retain king or Spanish mackerel in or from the EEZ under a bag or possession limit specified in bag or possession limit specified in tory group, zone, subzone, or gear, except as provided for under paragraph (a)(3)(ii) of this section.
- (ii) A person aboard a vessel for which valid charter vessel/headboat permits for Gulf coastal migratory pelagic fish or South Atlantic coastal migratory pelagic fish and a valid commercial vessel permit for king or Spanish mackerel have been issued may continue to retain fish under a bag and possession limit specified in §622.39(c), provided the vessel is operating as a charter vessel or headboat.
- (iii) The sale or purchase of king mackerel, Spanish mackerel, or cobia of the closed species, migratory group, subzone, or gear type, is prohibited, including any king or Spanish mackerel taken under the bag limits, or cobia taken under the limited-harvest species possession limit specified in §622.32(c)(1).
- (4) Royal red shrimp in the Gulf. Royal red shrimp in or from the Gulf EEZ may not be retained, and the sale or purchase of royal red shrimp taken from the Gulf EEZ is prohibited.
- (5) South Atlantic gag, black grouper, red grouper, greater amberjack, snowy grouper, golden tilefish, vermilion snapper, black sea bass, red porgy, and wreckfish. (i) The appropriate bag limits specified in §622.39(d)(1) and the possession limits specified in §622.39(d)(2) apply to all harvest or possession of the applicable species in or from the South Atlantic EEZ, and the sale or purchase of the applicable species